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March 21, 2023

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**VIA ECF**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Re: McCall v. Amazon.com Services LLC Civil Action No.: 1:23-cv-00901-KPF**

Dear Judge Failla,

Defendant Amazon.com Services LLC (“Amazon”) through counsel, respectfully requests that the Court grant an extension of time until Friday, April 28, 2023, for Amazon to file its response to Plaintiff Richard McCall’s (“Plaintiff”) Complaint. Counsel for Amazon has conferred with Plaintiff’s counsel, who does not oppose the requested relief.

Plaintiff filed a putative class action complaint (“Complaint”) in the United States District Court Southern District of New York on February 2, 2023. *See* Dkt. 1. Amazon was served with the Complaint on February 6, 2023, and the initial deadline for Amazon to respond to the Complaint was February 27, 2023. On February 13, 2023, the Court granted Amazon’s unopposed request for a 30-day extension of the deadline by which Amazon must respond until March 29, 2023. *See* Dkt. 9.

Amazon is investigating the allegations in the complaint, and the parties are discussing the claims and defenses in light of the parties’ initial investigations. The parties require additional time to advance those discussions. This request is not made for the purpose of delay or for any other improper purpose. Amazon respectfully requests that the Court enter an order extending the deadline for Amazon to file its response to Plaintiff’s Complaint by 30 days through Friday, April 28, 2023.

We thank the Court for its time and consideration in this matter.

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Very truly yours,

/s/ Andrew Sun Pak

Andrew Sun Pak

Cc: All Counsel of Record (Via ECF)

Application GRANTED. Defendant shall answer or otherwise respond to the Complaint on or before **April 28, 2023**. This is the second extension of this deadline; no further extensions will be granted.

Additionally, the initial pretrial conference currently scheduled for April 21, 2023, is hereby ADJOURNED to 12:00 p.m. on **May 3, 2023**.

The Clerk of Court is directed to terminate the motion at docket entry 17.

SO ORDERED.

Dated: March 21, 2023  
New York New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE